

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
)  
Dean F. Boyer, et al. ) Before the Examiner  
) Timothy M. Harbeck  
Application No. 09/690,940 )  
) Group Art Unit  
Filed October 18, 2000 ) 3628  
)  
POINT OF SERVICE THIRD PARTY )  
FINANCIAL MANAGEMENT VEHICLE )  
FOR THE HEALTHCARE INDUSTRY )

NOTICE OF LOSS OF ENTITLEMENT TO  
SMALL ENTITY STATUS (37 CFR §1.27(g)(2))

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22314-1450

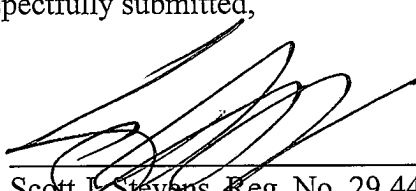
Dear Commissioner:

Applicant correctly asserted small entity status in this application on October 18, 2000 by payment of the basic filing fee.

Assignee, as current owner of the application, hereby notifies the Office, in accordance with the requirements of 37 CFR §1.27(g)(2), that it no longer may claim status as a small entity.

Respectfully submitted,

By

  
\_\_\_\_\_  
Scott J. Stevens, Reg. No. 29,446  
Woodard, Emhardt, Moriarty, McNett & Henry LLP  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456

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FINANCIAL MANAGEMENT VEHICLE	)	
FOR THE HEALTHCARE INDUSTRY	)	

NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)  
AS A SMALL ENTITY (37 CFR §1.28(c))

Mail Stop M  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant established status as a small entity in good faith and also paid fees for a small entity in good faith. It has now been determined that such status as a small entity was established in error.

In particular, on April 25, 2001 RealMed Corporation acquired ownership of the subject application by way of Assignment from Onehealthbank.com. This Assignment was recorded on February 19, 2002 at Reel 012613, Frame 0900. Only recently did Assignee learn that the subject matter of this application had previously been licensed to an entity that does not qualify as a small entity under the Regulations. Consequently, small entity status could no longer be claimed for Assignee and, through good faith error, the Office was not previously notified.

Fee(s) Erroneously Paid as a Small Entity	Fee Actually Paid as a Small Entity	Current Fee Amount for Large Entity	Deficiency Owed
3-month extension of time fee paid July 22, 2004	\$475.00	\$1,020.00	\$545.00
Fee for excess claims paid (3 in excess of 20) paid July 22, 2004	18.00	150.00	132.00
2-month extension of time fee paid on April 22, 2005	225.00	450.00	225.00
Terminal Disclaimer Fee paid April 22, 2005	65.00	130.00	65.00
1-month extension of time fee paid October 28, 2005	60.00	120.00	60.00
RCE filing fee paid February 13, 2006	395.00	790.00	395.00
Excess claim fees paid (2 additional. In excess of 3 and 14 additional claims in excess of 20. 3 additional. already paid) paid February 13, 2006	650.00	1,250.00	600.00
3-month extension of time fee paid October 10, 2006	510.00	1,020.00	510.00
Fee for excess claims paid (2 additional independent claims. And 23 additional claims in excess of 20) paid October 10, 2006	825.00	1,550.00	725.00
<b>Total Deficiency Owed</b>			<b>\$3,257.00</b>

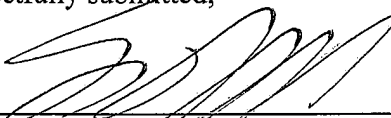
Pursuant to 37 CFR § 1.17(i), the processing fee in the amount of \$130.00 and pursuant to 37 CFR § 1.28(c)(2)(i), the deficiency fee in the amount of \$3,257.00 are paid as follows:

Authorization is hereby made to charge the amount of \$3,387.00 to credit card shown on the attached credit card information authorization form PTO-2038.

Authorization is hereby made to charge any additional fees that may be necessary or credit any overcharges, but not to include the payment of any issue fees, to Deposit Account 23-3030.

Respectfully submitted,

By



Scott J. Stevens, Reg. No. 29,446  
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Indianapolis, Indiana 46204-5137  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006****Complete if Known**

Application Number	09/690,940
Filing Date	October 18, 2000
First Named Inventor	Dean F. Boyer, et al.
Examiner Name	Timothy M. Harbeck

Art Unit	3628
Attorney Docket No.	3425-24

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)3,387.00**METHOD OF PAYMENT (check all that apply)**
☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_
☒ Deposit Account Deposit Account number: 23-3030 Deposit Account Name: Woodard, Emhardt, Moriarty, McNett & Henry LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims Fee (\$)	Fee Paid (\$)
-20 or HP	=-20	x	=0	x	=0

HP = highest number of total claims paid for, if greater than 20

Independent Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-3 or HP	=-3	x	=0

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

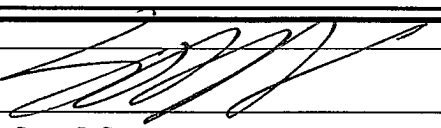
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100	=	/50 = (round up to a whole number)	x	0

**4. OTHER FEE(S)**

See Notification of Error in Payment of Fee(s) as a Small Entity

Fee Paid (\$)  
3,387.00**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	29,446	Telephone	(317) 634-3456
Name (Print/Type)	Scott J. Stevens	Date	March 27, 2007		

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	Date

454030

WEMMH #317053 (Rev. 2/06)